

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEREK FRIEDRICHS,

Plaintiff(s),

v.

BMW FINANCIAL SERVICES LLC,

Defendant(s).

No. C08-4486 PJH (BZ)

STIPULATION RE INJUNCTION

IT IS HEREBY STIPULATED by plaintiff Derek Friedrichs and defendant BMW Financial Services LLC, through their respective counsel, that the Injunction attached hereto shall be attached as Exhibit 1 to the Settlement Agreement executed by the parties and shall be entered by the Court in this matter.

Dated: August 6, 2009

CHAVEZ & GERTLER LLP

KEMNITZER, ANDERSON, BARRON
& OGILVIE, LLP

By: 

Mark A. Chavez

Attorneys for Plaintiff
Derek Friedrichs and the Proposed
Class

Dated: August 6, 2009

JEFFER, MANGELS, BUTLER
& MARMARO LLP

By: 

Michael J. Hassen

Attorneys for Defendant BMW
FINANCIAL SERVICES, LLC

EXHIBIT 1

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INJUNCTION

The Settlement Agreement entered into by the parties to this case having been considered by this Court, and good cause appearing therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

BMW Financial Services NA, LLC ("BMW Financial Services") shall and hereby is enjoined and restrained from taking any further steps to collect any amounts purportedly owed by any member of the Settlement Class arising out of a deficiency following repossession. BMW Financial Services shall immediately cease and shall not resume any such collection

1 efforts. However, this Injunction does not bar BMW Financial
2 Services from filing suit for fraud or misrepresentation
3 against any member of the Settlement Class arising out of
4 inaccurate information provided by or on behalf of the class
5 member in connection with the vehicle purchase and/or loan,
6 and seeking fraud damages.

7 The parties waive any requirement of a bond or
8 undertaking and none shall be required. No person who has
9 notice of this Injunction shall fail to comply with it, nor
10 shall any person subvert the Injunction by any sham,
11 indirection or other artifice.

12 Dated:

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Phyllis J. Hamilton
United States District Court Judge
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